

b.) Remarks

Claim 1 has been amended to more specifically recite a preferred embodiment of the present invention with the specificity required by statute. The subject matter of the amendment can be found, e.g., at page 8, lines 5-8, and page 16, lines 5-8. Accordingly, no new matter has been added.

Claims 1-3 and 7-9 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner's bases for rejection are discussed at page 3 of the Office Action.

This rejection is respectfully traversed. Prior to setting forth their bases for traversal, however, Applicants would briefly like to discuss the salient features of the present invention as it relates to the present amendment.

The present invention claims a display device comprising, *inter alia*, an auxiliary substrate. In addition to the text cited by the Examiner, in fact showing that the display device of the invention includes the substrate-adhesion layer affixed to an auxiliary substrate, the application explicitly recites an auxiliary substrate as part of a display device. At page 17, lines 18-21, the specification states that the display device "is composed of a surface-protective layer (21), information display layer (24), reflective resin sheet (22), substrate-adhesive layer (23) and an auxiliary substrate (26)."

This text evidences that the inventor contemplated a device display comprising an auxiliary substrate.

In support of the rejection, according to the Examiner, the specification as filed does not teach the display device comprises an auxiliary substrate. As noted above, the text at page 17, lines 18-21, explicitly describes the display device comprising an auxiliary substrate.

The Examiner alleges there is no support in the specification for the phrase “adapted to be” in claim 1. Although Applicant disagrees, in order to expedite prosecution, claim 1 is amended to delete the language, as kindly suggested by the Examiner.

The Examiner also alleges that there is no support in the specification for the phrase “said auxiliary substrate wrapping-up the substrate-adhesive layer” in claim 1. However, Figure 5 plainly shows that the auxiliary substrate (39) would at least wrap-up the substrate-adhesive layer (37). Nevertheless, in order to expedite prosecution, Applicants have amended claim 1 to read “said auxiliary substrate being capable of wrapping up the display device,” as kindly suggested by the Examiner.

Accordingly, the foregoing rejection is now overcome.

Claim 1 remains rejected under 35 U.S.C §103(a) as being obvious over Hingsen-Gehrman (U.S. Patent Publication No. 2002/0142121) in view of Yamamoto (U.S. Patent Publication No. 2002/0036359) and Chirhart (U.S. Patent No. 4,919,741). Also, claims 2, 3, and 7-9 remain rejected as being obvious over Hingsen-Gehrman, Yamamoto and Chirhart in view of Mimura (WO 02/103629). In support of the rejection the Examiner states that several aspects of the cited disclosures read on aspects of the claims of the present invention.

To specifically address these issues, Applicants have above amended claim 1 to more specifically recite a preferred embodiment of the present invention. Claim 1 now recites the preferred ranges of the thickness and percent light transmission of the surface-protective layer. These are not art-recognized result-effective variables. Claim 1 also recites the preferred thickness of the auxiliary substrate. This too is not an art-recognized, result-effective variable. Moreover, these limitations are not taught by any of Hingsen-Gehrmann, Yamamoto, Chirhart or Mimura. Thus, Applicant believes the obviousness rejections are mooted by the present amendment.

The Examiner has raised provisional obviousness-type double patenting rejections and a provisional rejection under 35 USC 103(a) at pages 9-15, both over commonly assigned Application No. 10/569,869, optionally in view of Chirhart and Mimura.

As to the provisional rejection over Application 10/569,869, the present application and Application 10/569,869 were commonly owned at the time this invention was made (MPEP §706.02(II)). Accordingly, this rejection is overcome. As to any provisional obviousness-type double patenting rejection, Applicants elect to defer addressing these provisional rejections until the pending claims are indicated as otherwise allowable.

In view of the above remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 1-3 and 7-9 remain presented for continued prosecution.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

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